# No. 100

# **MICHIGAN SENATE**

# **DAILY CALENDAR**

TUESDAY, NOVEMBER 8, 2005

	10:00	y a.m	•	
	MOTIONS		MESSAGES FROM THE GOVERNOR	
SB SB SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.  Motion to discharge Committee on Appropriations pending.  2  318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384).  Motion to discharge Committee on Commerce and Labor pending.  MESSAGES FROM THE GOVERNOR  272 Sen. Switalski Appropriations; general government; general government; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.  7  281 Sen. Barcia Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Friday, September 30. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.	
		_	THIRD READING OF BILLS	
SB	Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	102 Sen. Cropsey Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility. Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d. Reported by Committee on Judiciary. Committee recommended I.E.	
SB	264 Sen. Barcia Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006. Creates appropriation act.	SB	337 Sen. Allen Single business tax; credit; tax credit for historical buildings; create and limit issuance of.	

Approved by Governor, with line items vetoed,

For veto message, see Senate Journal No. 87, page

Wednesday, September 28.

Vetoed line items pending.

Senate substitute (S-2). Committee recommended I.E.

Reported by Committee on Commerce and Labor.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding

#### THIRD READING OF BILLS

\_\_\_\_ 10 \_\_\_\_\_

#### **HB** 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 11 \_\_\_\_\_

#### **HB** 4317 Rep. Lipsey

Counties; other; county road commission; provide option to expand membership or eliminate.

Amends sec. 12 of 1973 PA 139 (MCL 45.562).

I.E. House, June 29, 2005.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

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## HB 5050 Rep. Robertson

Economic development; plant rehabilitation; abatement on certain property; provide for.

Amends sec. 9 of 1974 PA 198 (MCL 207.559).

I.E. House, September 20, 2005.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 13 \_\_\_\_\_

#### SB 714 Sen. Birkholz

Family law; parental rights; military parental custody rights; clarify.

Amends secs. 2, 5 & 7 of 1970 PA 91 (MCL 722.22 et seq.).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 14 \_\_\_\_\_

## **HB** 5100 Rep. Jones

Family law; parental rights; military parental custody rights; clarify.

Amends secs. 2, 5 & 7 of 1970 PA 91 (MCL 722.22 et seg.).

I.E. House, October 5, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_ 15 \_\_\_\_\_

#### **HB** 4335 Rep. Newell

Law enforcement; training; waiver of certain recertification requirements for law enforcement officers who return from duty after military service; provide for.

Amends sec. 9 of 1965 PA 203 (MCL 28.609).

I.E. House, September 21, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_\_ 16 \_\_\_\_\_

## **HB** 4978 Rep. Hildenbrand

Weapons; concealed; requirements for obtaining a concealed pistol permit; revise to include requirement of meeting certain federal eligibility standards.

Amends 1927 PA 372 (MCL 28.421 - 28.435) by adding sec. 6.

I.E. House, September 15, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 17 \_\_\_\_\_

# **HB** 5052 Rep. Hoogendyk

Taxation; tobacco; penalties for possessing, acquiring, transporting, or offering for sale counterfeit cigarette rolling papers; include.

Amends secs. 2 & 8 of 1993 PA 327 (MCL 205.422 & 205.428).

I.E. House, October 20, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 18 \_\_\_\_

## SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

\_\_\_\_ 19 \_\_\_\_\_

#### SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

<del>\_\_\_\_ 20 \_\_\_\_\_</del>

#### SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_\_

## **HB** 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations. Senate substitute (S-1).

Committee recommended I.E.

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## SB 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_ 23 \_\_\_\_

## SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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#### **SB** 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_ 25 \_\_\_\_\_

## SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

#### **GENERAL ORDERS**

<del>\_\_\_\_ 26 \_\_\_\_\_</del>

#### HB 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 27 \_\_\_\_\_

### SJR E Sen. Stamas

Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit.

Amends sec. 54, art. X of the state constitution.

Reported by Committee on Transportation.

Senate substitute (S-2).

\_\_\_\_\_ 28 \_\_\_\_\_

## SB 693 Sen. Brown

Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit.

Amends sec. 3 of 1911 PA 149 (MCL 213.23).

Reported by Committee on Transportation.

Senate substitute (S-3).

Committee recommended I.E.

29

#### **HB** 4325 Rep. Mortimer

Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; clarify who is authorized to perform.

Amends secs. 17001 & 17501 of 1978 PA 368 (MCL 333.17001 & 333.17501) & adds secs. 17018 & 17518.

I.E. House, April 20, 2005.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 30 \_\_\_\_\_

# HB 4718 Rep. Gleason

Highways; name; portion of M-54 in Genesee county; rename the "Marine Corps League Memorial Highway", and a portion of M-54 in part of Genesee county rename "UAW Sitdown Strike Memorial Highway".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 78.

I.E. House, September 15, 2005.

House substitute (H-1).

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 31 \_\_\_\_

#### **SB 624** Sen. Toy

Highways; name; renaming a portion of US-24; designate as the "10th Mountain Division".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 80.

Reported by Committee on Transportation. Committee recommended I.E.

## **SB 686** Sen. Birkholz

Crimes; trespassing; trespass upon a critical infrastructure; prohibit and provide penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 552c.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 33 \_\_\_\_

#### **SB 685** Sen. Birkholz

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of trespass upon a critical infrastructure; enact.

Amends sec. 16y, ch. XVII of 1927 PA 175 (MCL 777.16y).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_ 34 \_\_\_\_</del>

# SB 783 Sen. Bishop

Environmental protection; solid waste; out-of-state waste regulatory program; establish.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11526d, 11526e, 11526f, 11526g & 11526h.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 35 \_\_\_\_\_

## HB 5176 Rep. Acciavatti

Environmental protection; solid waste; foreign municipal solid waste; prohibit disposal of.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11526e.

I.E. House, September 21, 2005.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

## **HB** 5177 Rep. Pavlov

Environmental protection; solid waste; foreign municipal solid waste; provide penalty for violation of disposal prohibition.

Amends sec. 11549 of 1994 PA 451 (MCL 324.11549).

I.E. House, September 21, 2005.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

#### **GENERAL ORDERS**

#### **HB** 5178 Rep. Palsrok

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of importing solid waste from a foreign country; enact.

Amends sec. 13c, ch. XVII of 1927 PA 175 (MCL 777.13c).

I.E. House, September 21, 2005.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

\_\_\_\_\_ 38 \_\_\_\_\_

#### SB 859 Sen. Cassis

Property tax; principal residence exemption; principal residence exemption for revocable trust of certain individuals; revise.

Amends sec. 7dd of 1893 PA 206 (MCL 211.7dd).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 39 \_\_\_\_\_

## HB 4421 Rep. Sheen

Insurance; agents; waiver of continuing education requirement for individuals deployed to active duty; provide for.

Amends sec. 1204c of 1956 PA 218 (MCL 500.1204c).

I.E. House, May 24, 2005.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

For Senate amendment, see Senate Journal No. 99, page 2134.

Committee recommended I.E.

### **COMMITTEE REPORTS**

<del>------</del> 40 <del>-------</del>

## HB 4617 Rep. Moolenaar

Environmental protection; cleanups; designation of a facility; require to be based upon samples collected from the property.

Amends secs. 20101, 20117 & 20120a of 1994 PA 451 (MCL 324.20101 et seq.).

I.E. House, June 29, 2005.

House substitute (H-2).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

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#### **HB 4001** Rep. Caul

Higher education; financial aid; tuition waivers for children of veterans; revise.

Creates new act & repeals 1935 PA 245 (MCL 35.111 - 35.112).

I.E. House, March 22, 2005.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

## — 42 —

#### HB 4002 Rep. Moore

Veterans; trust fund; act creating the Michigan veterans' trust fund; repeal outdated provisions.

Repeals secs. 1a, 1b, 1c, 1e & 1f of 1946 (1st Ex Sess) PA 9 (MCL 35.601a et seq.).

I.E. House, March 22, 2005.

Reported by Committee on Appropriations.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### — 43 ——

#### HB 5091 Rep. Caul

Income tax; checkoff; funding for the children of veterans tuition program; create checkoff option.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 437.

I.E. House, October 27, 2005.

For House amendments, see House Journal No. 93, page 2034.

Reported by Committee on Appropriations.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

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#### **HB** 5297 Rep. Vagnozzi

Environmental protection; water pollution; grants for water pollution control activities; authorize grant agreements.

Amends 1985 PA 227 (MCL 141.1051 - 141.1076) by adding sec. 16d.

I.E. House, October 25, 2005.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### SCHEDULED MEETINGS

## **Appropriations -**

#### Subcommittee -

**Natural Resources Department -** Tuesday, November 8, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Commerce and Labor -** Tuesday, November 8, 3:00 p.m., Room 100, Farnum Building (373-2413)

**Health Policy -** Wednesday, November 9, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

**Judiciary -** Tuesday, November 8, 1:00 p.m., Room 210, Farnum Building (373-3760)

**Michigan Capitol Committee -** Tuesdays, November 8 (CAN-CELED) and November 29, 3:00 p.m., Room 426, Capitol Building (373-0289)

**Natural Resources and Environmental Affairs -** Tuesday, November 8, 3:00 p.m., and Wednesday, November 9, 8:00 a.m., Room 110, Farnum Building; Thursday, November 10, 11:00 a.m. or later immediately following session, Rooms 402 and 403, Capitol Building (373-3447)

**Technology and Energy -** Wednesday, November 9, 3:00 p.m., Room 210, Farnum Building (373-7350)

**Transportation -** Tuesday, November 8, 1:00 p.m., Room 110, Farnum Building (373-7708)

# BILLS IN CONFERENCE

		Conf	Report Agreed To		
Bill No.	Brief Title	Senate	House	Senate	House
HB 4315	Counties; boards and commissions; county road commission; provide option to expand membership or eliminate.		LaJoy Hoogendyk Anderson		
HB 4834	Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for.	Sanborn Gilbert Jacobs	Robertson Palsrok McConico		